

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED**Request to File Under Seal**

January 14, 2019

BY FAX

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007
Fax: (212) 805-0426

Re: *United States v. Leroy Spence*, No. 18 Cr. 721 (LTS)

Dear Judge Swain:

The Government respectfully requests that the Court issue an order for a limited unsealing in this matter permitting the Government to share with the Central Authority of Jamaica a copy of the Information and the Consent Preliminary Order of Forfeiture as to Specific Property, dated October 1, 2018, and the fact that Leroy Spence, the defendant, has entered a plea of guilty in this matter, so that the Government may submit a Mutual Legal Assistance Treaty request to the Central Authority of Jamaica in connection with this case. The Government intends to request that the Central Authority of Jamaica keep confidential the information that the Government shares regarding this case, but the Government cannot guarantee the extent to which the Central Authority of Jamaica will keep the information confidential. Defense counsel consents to this request for a limited unsealing.

As described in the Consent Preliminary Order of Forfeiture, the Jamaican Customs Agency seized \$60,000 from the defendant on or about May 25, 2017, at Sangster International Airport in Jamaica, which money is traceable as proceeds of the offenses to which the defendant, Leroy Spence, has pled guilty before Your Honor. Forfeiture proceedings regarding the \$60,000 are currently pending in the Saint James Parish Court in Montego Bay, Jamaica. An attorney representing the Jamaica Customs Agency, a party to the forfeiture proceedings, has informed me that the next court date in the forfeiture proceedings is January 24, 2019. My understanding from speaking with the attorney from the Jamaica Customs Agency is that the Jamaican government will forfeit the \$60,000 if the forfeiture proceedings are unopposed. Accordingly, in order to ultimately recover the \$60,000 for the victim in this case, before January 24, 2019, the Government intends to submit a request for assistance to the Central Authority of Jamaica



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pursuant to the Treaty on Mutual Legal Assistance in Criminal Matters to restrain the \$60,000 until a conviction and final forfeiture is entered in this matter.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: *Cecilia E. Vogel*
Cecilia E. Vogel
Assistant United States Attorneys
(212) 637-1084

cc: Mark Panzavecchia, attorney for Leroy Spence (by email)

*The foregoing
request is granted.*

SO ORDERED:

Laura Taylor Swain 1/14/19
HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE